

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 846 – SB 1232

April 8, 2015

SUMMARY OF ORIGINAL BILL: Requires land use restrictions in redevelopment plans to be no more restrictive than the regulations prescribed under the local government's zoning authority. Authorizes businesses established prior to redevelopment plans, or any other provision of law related closely to zoning, to continue their use of the land in the same manner, or expand or rebuild.

FISCAL IMPACT OF ORIGINAL BILL:

Foregone Revenue - Exceeds \$100,000

SUMMARY OF AMENDMENT (005865): Deletes and rewrites the bill in its entirety. Requires municipalities to authorize uses of land within a redevelopment zone on a particular property if that use was undertaken before the new restriction was put in place and no change in the use of the land is undertaken by the relevant business or industry. Requires local governments to allow the replacement of facilities taken by eminent domain or the threat of eminent domain, provided that the replacement facility is not larger than the previous facility, construction commences within thirty days, and there is available space in the relevant area as to avoid nuisances. Applies this act only to land owned and in use by affected industrial, commercial, or business establishments prior to acquisition or relocation resulting from the exercise of the power or threat of eminent domain. Applies only to any acquisition or relocation of facilities within an area subject to land use restrictions imposed pursuant to a redevelopment plan pursuant to Title 13, Chapter 20, Part 2 of the Tennessee Code Annotated. Prohibits the denial of permitting for an off-site sign in existence for ten or more years because the basis of the original permit does not exist.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- This bill is not relevant to state government operations.
- Local housing authorities report the bill as amended allows the use of land use restrictions, eminent domain, and tax increment financing in a manner they believe can provide for investment into a blighted area, which the original bill presumed to impede.
- Based on all information provided by the local housing authorities, the fiscal impact of this amended bill is estimated to be not significant on local government operations.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is written in a cursive style with a large, stylized "J" and "S".

Jeffrey L. Spalding, Executive Director

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